

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5507 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- KATIHAR

- =====
1. Smt. Pratibha Mishra @ Pratibha Mishra, wife of Kalanand Mishra, resident of Village- Pothia, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nevkant Mishra, son of late Naldhar Mishra, resident of Village- Pothia, P.S.- Falka, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 18-09-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 24.09.2014 passed by the SDO, Katihar, in case No.3-M of 2013 by which proceeding under Section 147 Cr.P.C. was dropped as well as order dated 07.11.2015 passed by the Sessions Judge, Katihar, in Criminal Revision No.24 of 2015 by which he has dismissed the revision application.

Both the Courts have mentioned in their orders that there is house of Opposite Party No.2 on the land in dispute and the petitioner has no concern with Opposite Party No.2. Petitioner has not purchased the land from Opposite Party No.2.



Learned SDO has dropped the proceeding on the aforesaid ground, which was also affirmed by the revisional Court in Cr. Revision No.24 of 2015.

This Court after perusing both the orders finds that both orders are based on finding of facts.

This Court does not find any merit in this application.

This application is, accordingly, **dismissed**.

It is, however, observed that this order will not debar the petitioner from seeking other civil remedy for redressal of his grievance by approaching the competent Civil Court.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	26-09-2018
Transmission Date	26-09-2018

